

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: §  
CYNTHIA ALLEN, §  
Last 4 of SSN: 3719 § CASE NO. 17-40771  
§  
§  
933 PLANTATION DRIVE § CHAPTER 13  
DESOTO, TEXAS 75115 §  
Debtor(s) §  
§

**ORDER MODIFYING CONFIRMED CHAPTER 13 PLAN  
AND GRANTING ADDITIONAL AWARD OF ATTORNEY FEES**

ON THIS DATE the Court considered the Motion to Modify Confirmed Chapter 13 Plan (the “Modification Motion”) filed on or about September 18, 2019, by the Debtor(s), CYNTHIA ALLEN [the “debtor(s)’]. The Modification Motion seeks to modify the terms of the confirmed Chapter 13 plan [docket # ] in the above referenced case (the “Confirmed Chapter 13 Plan”). The Court finds that the Modification Motion was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate twenty-eight (28)-day negative notice language, pursuant to LBR 3015(h), which directed any party opposed to the granting the relief sought by the Modification Motion to file a written response within 28 days or the Modification Motion would be deemed by the Court to be unopposed. The Court finds that no objection or other written response to the Modification Motion has been timely filed by any party. Due to the failure of any party to file a timely written response, the proposed plan modifications, together with any allegations contained in the Motion regarding the propriety of those plan modifications or the fulfillment of the requirements set forth in §1329 of the Bankruptcy Code, stand unopposed. Therefore, the Court finds that just cause exists for the entry of the following order.

**IT IS THEREFORE ORDERED** that the Motion to Modify Confirmed Chapter 13 plan filed on May 13 , 2019, by the Debtor(s), CYNTHIA ALLEN, is hereby **GRANTED**, the Confirmed Chapter 13 Plan is hereby **MODIFIED** in accordance with the provisions set forth in the Modification Motion, as amended by this Order, and the Chapter 13 Trustee shall adjust her distributions accordingly.

**IT IS FURTHER ORDERED** that all provisions of the Confirmed Chapter 13 Plan not addressed by the Modification Motion or this Order remain in full force and effect.

**IT IS FURTHER ORDERED** that the request for an additional award of attorney fees, as contained in Paragraph 5 of the Modified Motion, is **GRANTED** and that MICHAEL WISS, is

awarded the sum of \$ 1,700.00 Which shall be in addition to any other fees previously awarded or paid in this case.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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HONORABLE BRENDA T. RHOADES  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE: Cynthia Allen

CASE NO 17-40771-BTR

*Debtor(s)*

CHAPTER 13

**EXHIBIT "A" - VARIABLE PLAN PAYMENTS**

**PROPOSED PLAN OF REPAYMENT (VARIABLE PAYMENTS INTO THE PLAN)**

<b>Month / Due Date</b>	<b>Payment</b>	<b>Month / Due Date</b>	<b>Payment</b>	<b>Month / Due Date</b>	<b>Payment</b>
1 05/11/2017	\$3,558.21	21 01/11/2019	\$3,558.21	41 09/11/2020	\$210.00
2 06/11/2017	\$3,558.21	22 02/11/2019	\$3,558.21	42 10/11/2020	\$2,100.00
3 07/11/2017	\$3,558.21	23 03/11/2019	\$3,558.21	43 11/11/2020	\$2,100.00
4 08/11/2017	\$3,558.21	24 04/11/2019	\$3,558.21	44 12/11/2020	\$2,100.00
5 09/11/2017	\$3,558.21	25 05/11/2019	\$3,558.21	45 01/11/2021	\$2,100.00
6 10/11/2017	\$3,558.21	26 06/11/2019	\$3,558.21	46 02/11/2021	\$2,100.00
7 11/11/2017	\$3,558.21	27 07/11/2019	\$3,558.21	47 03/11/2021	\$2,100.00
8 12/11/2017	\$3,558.21	28 08/11/2019	\$3,558.21	48 04/11/2021	\$2,100.00
9 01/11/2018	\$3,558.21	29 09/11/2019	\$2,100.00	49 05/11/2021	\$2,100.00
10 02/11/2018	\$3,558.21	30 10/11/2019	\$2,100.00	50 06/11/2021	\$2,100.00
11 03/11/2018	\$3,558.21	31 11/11/2019	\$2,100.00	51 07/11/2021	\$2,100.00
12 04/11/2018	\$3,558.21	32 12/11/2019	\$2,100.00	52 08/11/2021	\$2,100.00
13 05/11/2018	\$3,558.21	33 01/11/2020	\$2,100.00	53 09/11/2021	\$2,100.00
14 06/11/2018	\$3,558.21	34 02/11/2020	\$2,100.00	54 10/11/2021	\$2,100.00
15 07/11/2018	\$3,558.21	35 03/11/2020	\$2,100.00	55 11/11/2021	\$2,100.00
16 08/11/2018	\$3,558.21	36 04/11/2020	\$196,840.00	56 12/11/2021	\$2,100.00
17 09/11/2018	\$3,558.21	37 05/11/2020	\$2,100.00	57 01/11/2022	\$2,100.00
18 10/11/2018	\$3,558.21	38 06/11/2020	\$2,100.00	58 02/11/2022	\$2,100.00
19 11/11/2018	\$3,558.21	39 07/11/2020	\$2,100.00	59 03/11/2022	\$2,100.00
20 12/11/2018	\$3,558.21	40 08/11/2020	\$2,100.00	60 04/11/2022	\$2,100.00

Case 17-40771 Doc 60-1 Filed 09/18/19 Entered 09/18/19 08:47:12 Desc Proposed American InfoGuard LP as agent for  
 T Mobile/T-Mobile USA Inc  
 PO Box 248848  
 Oklahoma City, OK 73124-8848  
 1540-4  
 Case 17-40771  
 Eastern District of Texas  
 Sherman  
 Due Sep 17 14:51:10 CDT 2019

(p)AMERICollect INC PO BOX 2080 MANITOWOC WI 54221-2080	933 Plantation Dallas, TX 75115-5271	Baylor Heart & Vascular c/o Creditors Bankruptcy Service P.O. Box 800849 Dallas, TX 75380-0849	Baylor Univ. Medical Ctr c/o Creditors Bankruptcy Service P.O. Box 800849 Dallas, TX 75380-0849		
Charles A Caldwell Attorney at Law PO Box 601174 Dallas, TX 75360-1174		City of De Soto/ISD 200 E. Belt Line Road De Soto, TX 75115-5795		Codilis & Stawiarski, P.C. 650 N. Sam Houston Pkwy East Suite 450 Houston, TX 77060-5908	
Dallas County Linebarger Goggan Blair & Sampson, LLP /o Melissa L. Palo 1777 N. Stemmons Frwy Suite 1000 Dallas, TX 75207-2328		Dallas County Tax Assessor-Collector Records Building - 1st Floor 500 Elm Street Dallas, TX 75202-3304		Dept of Public Safety Bienville Parish PO Box 328 Arcadia, LA 71001-0328	
Carey D. Ebert P. O. Box 941166 Plano, TX 75094-1166		Internal Revenue Service P O Box 7346 Philadelphia, PA 19101-7346		Linebarger, Goggan Sampson 2777 Stemmons Freeway, Ste 1000 Dallas, TX 75207-2328	
Michael Wiss and Associates 1882 Greenville Avenue Suite 111 Box 111 Dallas, Texas 75243-3567		Money Life of America PO Box 4830 Syracuse, NY 13221-4830		NTTA Customer Service Center PO Box 260928 Plano, TX 75026-0928	
Melissa L. Palo Linebarger Goggan Blair & Sampson LLP 1777 N. Stemmons Freeway, Suite 1000 Dallas, TX 75207-2328		Perdue, Brandon, Fielder, Collins & Matt Attention Fort Bend County 1235 North Loop West Suite 600 Houston, TX 77008-1772		Resident Data Financial 12770 Coit Road #1000 Dallas, TX 75251-1348	
HLS Mortgage 1742 Lucent Boulevard Suite 300 Highlands Ranch, CO 80129-2386		Specialized Loan Servicing P O Box 666005 Littleton, CO 80163-6005		Specialized Loan Servicing LLC 14841 Dallas Parkway, Suite 300 Dallas, TX 75254-7883	
Specialized Loan Servicing LLC 1742 Lucent Blvd, Suite 300 Highlands Ranch, CO 80129-2386		Specialized Loan Servicing LLC 8742 Lucent Blvd, Suite 300 Highlands Ranch, Colorado 80129-2386		Synchrony Bank c/o Recovery Mangmnt Sys Corp 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131-1605	
THE BNYM TRUST Company N.A. Trustee (See410) /o Specialized Loan Servicing LLC 1742 Lucent Blvd, Suite 300 Highlands Ranch, Colorado 80129-2386		LynAlise Katherine Tannery Quilling Selander Lownds Winslett & Moser 6900 N. Dallas Parkway, Suite 800 Plano, TX 75024-4204		Texas Neuroradiology PA 9301 N. Central Expy Dallas, TX 75231-0806	

The Lofts @ City Center Case 17-40771 Doc 60-1 Filed 09/18/19 Entered 09/18/19 08:47:12 Desc Proposed Order Page 5 of 5  
345 10th Avenue East  
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Greenville, SC 29603-0826

U.S. Bank National Association, as trustee o  
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Greenville, SC 29603-0826

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Shellpoint Mortgage Servicing  
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Americollect  
851 S. Alverno Rd.  
Manitowoc, WI 54220

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Dallas County  
Bainbridge Goggan Blair & Sampson, LLP  
c/o Melissa L. Palo  
1777 N. Stemmons Fwy  
Suite 1000  
Dallas, TX 75207-2328

End of Label Matrix  
Available recipients 42  
Bypassed recipients 3  
Total 45

(d) Carey D. Ebert  
P. O. Box 941166  
Plano, TX 75094-1166

(d) Internal Revenue Service  
P O Box 7346  
Philadelphia, PA 19101-7346